

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**909 CRIMINAL APPLICATION NO.1914 OF 2022  
IN APEALST/5193/2022**

SUDHIR SUKHDEO BHALERAO  
VERSUS  
THE STATE OF MAHARASHTRA AND ANOTHER

...  
Mr.Virendra Tuwar Advocate h/f. Mr. K.J. Tandale  
Advocate for Applicant.  
Mr.R.B. Bagul, A.P.P. for Resp. No.1.  
...

**CORAM: SMT. VIBHA KANKANWADI, J.**

**DATE : 7<sup>th</sup> JULY, 2022**

**ORDER :**

1. Issue notice to respondent No.1. Learned APP waives service of notice for respondent No.1.

2. This is an Application for condonation of delay caused in filing Appeal. Taking into consideration the fact that accused is in jail and has been sentenced for the offence punishable under Sections 376(3), 377, 506 of the Indian Penal Code, as regards filing of the appeal is concerned, whether to condone the delay or not would be within the discretion of this Court and therefore,

it is not necessary to to issue the notice to the informant – respondent No.2.

3. There is delay of only 15 days and taking liberal view, the delay deserves to be condoned. Accordingly the delay is condoned.

4. The Application stands allowed and disposed of.

5. Registry to register the appeal.

**[ SMT. VIBHA KANKANWADI, J. ]**

asb/JULY22